

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 4:19-cv-10520-TSH

CHARU DESAI,
Plaintiff,

v.

UMASS MEMORIAL MEDICAL CENTER,
INC., et al.,
Defendants.

**ASSENTED TO MOTION FOR
EXTENSION OF TIME TO FILE
REPLY MEMORANDA AND TO
RESCHEDULE HEARING BY
DEFENDANTS**

Defendants, UMass Memorial Medical Center, Inc., UMass Memorial Medical Group, Inc., Max Rosen, M.D., Stephen Tosi, M.D., Karin Dill, M.D., Marlborough Hospital, and University of Massachusetts Chan Medical School, with the assent of Plaintiff, Charu Desai, M.D., move for an extension of time within which to file their reply memoranda in support of their motions for summary judgment, for a period of one week, until March 4, 2022, and to reschedule the hearing on Defendants' motions for summary judgment until after their replies are due. In support thereof, Defendants state as follows:

1. On December 17, 2021, Defendants filed their respective motions for summary judgment; four in total between the seven Defendants.
2. After two extensions of time, with the assent of Defendants, and three days late due to technical problems, Plaintiff filed her Oppositions to Defendants' Motions on February 11, 2022. In support of her Oppositions, Plaintiff filed a 344-paragraph, 78-page Statement of Additional Material Facts in Dispute, as well as 130 exhibits.
3. Pursuant to Local Rule 56.1, Defendants' reply memoranda are due February 25, 2022.

4. Upon review of the papers filed by Plaintiff, Defendants have determined that additional time is necessary to thoroughly evaluate the documents and argument, and to adequately respond in their reply memoranda. Defendants have determined that an additional one week would be sufficient time. Such additional time will permit Defendants to properly present the issues to the Court in order to aid in its evaluation of these Motions.

5. The Court had set a hearing on Defendants' Motions for February 24, 2022. Due to the extension of time allowed for the filing of Plaintiff's Opposition, and the late filing, Defendants' replies are presently due after the date of the hearing, even without an extension.

6. Defendants request that the hearing be rescheduled until a date following the deadline for Defendants' replies, and at a time which allows sufficient time for the parties and the Court to review the papers and prepare for oral argument.

7. Counsel for Defendants have conferred with counsel for Plaintiff, and Plaintiff has assented to the relief requested in this Motion.

WHEREFORE, Defendants respectfully request an extension of the deadline to file their reply memoranda of law in support of their motions for summary judgment by one week, until March 4, 2022, and that the hearing on their motions for summary judgment be rescheduled for a time after Defendants' replies are due.

Respectfully submitted,

**UNIVERSITY OF MASSACHUSETTS
CHAN MEDICAL SCHOOL**

**UMASS MEMORIAL MEDICAL
CENTER, INC.; UMASS MEMORIAL
MEDICAL GROUP; MARLBOROUGH
HOSPITAL; MAX ROSEN, M.D.;
DARREN BRENNAN, M.D.; STEPHEN
TOSI, M.D.; and KARIN DILL, M.D.**

By its attorneys,

By their attorneys,

/s/ Mark A. Johnson

Mark A. Johnson, Esq., BBO # 651271
Denise Barton, Esq., BBO # 675245
University of Massachusetts
Office of the General Counsel
333 South Street, 4th Floor
Shrewsbury, MA 01545
Phone: (774) 455-7300
majohnson@umassp.edu
dbarton@umassp.edu

/w/ Reid M. Wakefield

Robert L. Kilroy, Esq., BBO #636853
Reid M. Wakefield, Esq., BBO #569026
Mirick, O'Connell, DeMallie & Lougee, LLP
1800 West Park Drive, Suite 400
Westborough, MA 01581
Phone: (508) 860-1474
Fax: (508) 983-6261
rkilroy@mirickoconnell.com
rwakefield@mirickoconnell.com

Dated: February 15, 2022

CERTIFICATE OF SERVICE

I, Reid M. Wakefield, hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this day.

/s/ Reid M. Wakefield

Reid M. Wakefield, Esq.

Dated: February 15, 2022